



**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I HEREBY DECLARE:

THAT my residence, post office address, and citizenship are as stated below next to my name;

THAT I believe I am the original, first, and sole inventor (if only one inventor is named below) or an original, first, and joint inventor (if plural inventors are named below or in an attached Declaration) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**METHOD FOR DETERMINING THE AMOUNT OF CHARGE WHICH CAN STILL  
BE DRAWN FROM AN ENERGY STORAGE BATTERY, AND AN ENERGY  
STORAGE BATTERY**

---

(Attorney Docket No. 054821-0861)

---

the specification of which (check one)

\_\_\_\_\_ is attached hereto.

  X   was filed on July 16, 2003 as United States Application Number 10/620,525.

THAT I do not know and do not believe that the same invention was ever known or used by others in the United States of America, or was patented or described in any printed publication in any country, before I (we) invented it;

THAT I do not know and do not believe that the same invention was patented or described in any printed publication in any country, or in public use or on sale in the United States of America, for more than one year prior to the filing date of this United States application;

THAT I do not know and do not believe that the same invention was first patented or made the subject of an inventor's certificate that issued in any country foreign to the United States of America before the filing date of this United States application if the foreign application was filed by me (us), or by my (our) legal representatives or assigns, more than twelve months (six months for design patents) prior to the filing date of this United States application;

THAT I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above;

THAT I believe that the above-identified specification contains a written description of the invention, and of the manner and process of making and using it, in such full, clear,

concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention, and sets forth the best mode contemplated by me of carrying out the invention; and

THAT I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I HEREBY CLAIM foreign priority benefits under Title 35, United States Code §119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number	Country	Foreign Filing Date	Priority Claimed?	Certified Copy Attached?
DE 102 32 251.1-34	Germany	07/17/2002	YES	

I HEREBY CLAIM the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

U.S. Provisional Application Number	Filing Date

I HEREBY CLAIM the benefit under Title 35, United States Code, §120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Application Number	Parent Filing Date	Parent Patent Number

I HEREBY APPOINT the following registered attorneys and agents of the law firm of  
FOLEY & LARDNER:

---

MATHEW P. ANDERSON	Reg. No. 54,589
SCOTT D. ANDERSON	Reg. No. 46,521
RUSSELL J. BARRON	Reg. No. 29,512
DAVID J. BATES	Reg. No. 39,902
STEVEN C. BECKER	Reg. No. 42,308
MICHAEL S. BRAYER	Reg. No. 51,495
MARCUS A. BURCH	Reg. No. 52,673
CHARLES G. CARTER	Reg. No. 35,093
ALISTAIR K. CHAN	Reg. No. 44,603
JOHN C. COOPER III	Reg. No. 26,416
JEFFREY N. COSTAKOS	Reg. No. 34,144
SCOTT M. DAY	Reg. No. 52,801
BARRY L. GROSSMAN	Reg. No. 30,844
JEFFREY S. GUNDERSEN	Reg. No. 47,619
ADAM M. GUSTAFSON	Reg. No. 54,601
JOHN M. LAZARUS	Reg. No. 48,367
KEITH D. LINDENBAUM	Reg. No. 40,365
DAVID G. LUETTGEN	Reg. No. 39,282
M. SCOTT MC BRIDE	Reg. No. 52,008
RICHARD J. MC KENNA	Reg. No. 35,610
JAMES G. MORROW	Reg. No. 32,505
SCOTT C. NIELSON	Reg. No. 50,755
JASON E. PAULS	Reg. No. 45,651
TODD A. RATHE	Reg. No. 38,276
MICHAEL D. RECHTIN	Reg. No. 30,128
MARCUS W. SPROW	Reg. No. 48,580
M. REED STAHELI	Reg. No. 47,959
JEAN M. TIBBETTS	Reg. No. 43,193
JOHN A. VANOPHEM	Reg. No. 38,646
JAMES A. WILKE	Reg. No. 34,279
JOSEPH N. ZIEBERT	Reg. No. 35,421
WALTER E. ZIMMERMAN	Reg. No. 40,883

---

to have full power to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent, and to transact all business in the United States Patent and Trademark Office connected therewith.

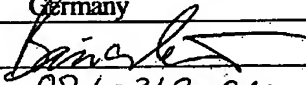
I request that all correspondence be directed to:

Marcus W. Sprow  
FOLEY & LARDNER  
Customer Number: 26371

Telephone: (414) 297-5564  
Facsimile: (414) 297-4900

I UNDERSTAND AND AGREE THAT the foregoing attorneys and agents appointed by me to prosecute this application do not personally represent me or my legal interests, but instead represent the interests of the legal owner(s) of the invention described in this application.

I FURTHER DECLARE THAT all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name of first inventor	Peter Baeuerlein
Residence	Lindwedel, Germany
Citizenship	German
Post Office Address	Im Nettelfelde 10 D-29690 Lindwedel Germany
Inventor's signature	
Date	02/03/2004

Name of second inventor	Frank Helmer <i>Helmer</i>
Residence	Hannover, Germany
Citizenship	German
Post Office Address	Klopstockstrasse 25 D-30177 Hannover Germany
Inventor's signature	<i>Frank Helmer</i>
Date	2004/03/02
Name of third inventor	Eberhard Meissner
Residence	Wunstorf, Germany
Citizenship	German
Post Office Address	Achterberger Strasse 62 31515 Wunstorf Germany
Inventor's signature	<i>Eberhard Meissner</i>
Date	2004/03/02
Name of fourth inventor	Ingo Koch
Residence	Hameln, Germany
Citizenship	German
Post Office Address	Joppnerweg 7 31789 Hameln Germany
Inventor's signature	<i>Ingo Koch</i>
Date	2004/03/02